## LATHAM & WATKINS LLP

July 24, 2012

## BY HAND DELIVERY

Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, SW Room TW-A325 Washington, DC 20554

555 Eleventh Street, N.W., Suite 1000 Washington, D.C. 20004-1304

Tel: +1.202.637.2200 Fax: +1.202.637.2201

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JUL 24 2012

Federal Communications Commissic

Office of the Secretary

Re:

Connect America Fund and Time Warner Cable Broadband Coverage; WC Docket Nos. 10-90 & 05-337

REDACTED – FOR PUBLIC INSPECTION

Dear Ms. Dortch:

In connection with the incumbent local exchange carrier applications for Connect America Fund Phase I ("CAF Phase I") support to upgrade their broadband facilities in accordance with the newly reformed Universal Service Fund, Time Warner Cable Inc. ("TWC") would like to apprise the Commission of certain geographic areas in which the National Broadband Map fails to show that TWC is offering broadband service with speeds of at least 768 kbps downstream and 200 kbps upstream. Under the Commission's rules, CAF Phase I funding is not available to incumbent local exchange carriers in areas that already have access to fixed broadband at these speeds.

The enclosed disc contains several types of information pertinent to this issue. This information is Confidential Information and thus is being filed under seal. The first is a spreadsheet listing the counties that TWC has identified for which the National Broadband Map has omitted either a census block or a street segment served by TWC, as reported by TWC to state broadband mapping entities for the period ending December 31, 2011 to be included in a subsequent version of the National Broadband Map. In addition, the enclosed map shows those same areas, with any state shaded dark blue indicating that one or more blocks or streets within that state have been omitted from the National Broadband Map and the red areas showing the omitted areas. Finally, the disc includes shape files containing the specific streets and roads that have been omitted from the National Broadband Map, including the 2010 Census TIGER/Line

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unique identifiers for the missing census blocks and street segments. In addition, these 2010 Census TIGER/Line unique identifiers for the missing census blocks and street segments are also included in text format for ease of cross-reference.

TWC provides qualifying fixed broadband services to each of the areas depicted and listed in the enclosed files and, accordingly, the Commission should not grant CAF Phase I funding to an incumbent local exchange carrier seeking to serve these areas.

Please let us know if you have questions or if more information would be helpful.

Sincerely,

/s/ Matthew A. Brill

Matthew A. Brill Brian W. Murray

Attorneys for Time Warner Cable Inc.

**Enclosures** 

cc: Lynne Hewitt Engledow

Wireline Competition Bureau